

IN THE UNITED STATES BANKRUPTCY COURT FOR
THE DISTRICT OF PUERTO RICO

IN RE:

COLONIAL MEDICAL MANAGEMENT CORP

CASE NO. 14-01922 BKT

Chapter 11

XXX-XX5464

FILED & ENTERED ON 01/23/2015

Debtor(s)

ORDER

On January 8, 2015, this Court entered an order affording all parties in interest the opportunity to state their position as to whether the captioned case should be converted or dismissed as a result of Debtor's failure to timely file a disclosure statement and plan. [Dkt. No. 89]. Pursuant to that Order, the United States Trustee filed their Position as to Dismissal and the Debtors filed a Notice of Voluntary Dismissal [Dkt. No.'s 91 and 92]. In this case, the Debtor did not file a plan within the time period mandated under 11 U.S.C. § 1121(e)(2). Debtors' failure constitutes "cause" under section 1112(b) & (b)(4)(J). The court incorporates herein by reference the arguments made by the UST as to why dismissal of the case is in the best interest of creditors rather than conversion. Accordingly, and absent unusual circumstances

1 that would establish that dismissal is not in the best interest of
2 creditors or the estate, this case is hereby DISMISSED. The Clerk shall
3 close the case forthwith.

4 IT IS SO ORDERED.

5 In San Juan, Puerto Rico this 23 day of January, 2015.

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9 Brian K. Tester
10 U.S. Bankruptcy Judge
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